

Application No.: 09/624,076
Art Unit 3624
Page 3

diagrams of Figs. 1-3. Since the '419 patent is incorporated by reference into the subject application, such references to computers and block diagrams, of computer networks in the '419 patent provide clear support in the subject application for a "computer assisted" method.

In addition, the subject patent application recites on pg. 1, lines 12-15 that the method is to be implemented by an "Electronic Trading Network", which by definition uses computers and thus is "computer assisted". Furthermore, this statement of an "electronic Trading System" adds context to the previous reference to the relationship to the subject application, and the parent application USP 6,418,419.

Still further, the subject application on pg. 8, line 4 recites an "Electronic Matching ..." process. Clearly, the context of this statement combined with the foregoing statements on page 1 of the specification is synonymous with the term "Computer Assisted".

The Declaration under 37 C.F.R. 1.132

The enclosed Declaration of Jeremy Sanders is probative of sufficiency of both the "written description" and "enablement" criteria of 35 U.S.C. 112, par. 1.

Note, for example, that Mr. Sanders was given the subject application, as filed, with no additional explanations; and it was clear to Mr. Sanders that the method of the present invention claimed was to be implemented by computers. See par. 4 of the declaration. In other words, it is clear to Mr. Sanders that an "Electronic Trading System" is synonymous with a Computer Trading System.

Application No.: 09/624,076
Art Unit 3624
Page 4

And this is a conclusion that he reached from reading of the original "written description" of the subject application.

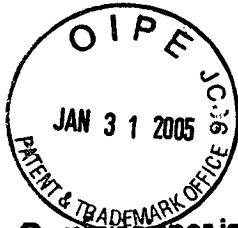
The Sanders Declaration is also probative of "enablement", although there is presently no rejection of record based on lack of enablement. Of course, proof of enablement has a higher threshold than proof of a proper "written description", so proof of enablement adds credence to proof of a proper "written description".

Accordingly, in view of the above amendments and remarks, reconsideration of the rejection and allowance of all of the claims of the present application are respectfully requested.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mr. Anthony L. Birch (Reg. No. 26,122) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No.: 09/624,076
Art Unit 3624
Page 5



If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

By Anthony Birch
Anthony L. BIRCH, #26,122

6915 Barrett Lane
Bethesda, MD 20814
(301) 852-8647

ALB/bb
2907-0102P

Enclosures: Declaration
Form PTO-1449

Certificate of Transmission
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22202
Signature: <u>Anthony Birch</u>
Printed Name: <u>Anthony L. Birch</u>
Date: <u>January 28, 2005</u>